



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JAN 16 2015

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-084

Certified Mail -- Return Receipt Requested

EPA WARNING LETTER

Mr. Steve Durrell
Operations Manager
Cascade Columbia Distribution Company
6900 Fox Avenue South
Seattle, Washington 98108

Mr. Steve Durrell
Operations Manager
Cascade Columbia Distribution Company
14200 SW Tualatin-Sherwood Road
Sherwood, Oregon 97140

Re: Risk Management Program Compliance Inspection
Cascade Columbia Distribution Company
EPA Facility ID Number 1000 0016 2968

Dear Mr. Durrell:

On June 13, 2014, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the Cascade Columbia Distribution Company facility, located at 14200 SW Tualatin-Sherwood Road, Sherwood, Oregon. The purpose of the inspection was to evaluate compliance with Section 112(r) of the Clean Air Act also known as the Risk Management Program (RMP). The RMP inspection was conducted pursuant to the authorities under Section 112(r) and Section 114 of the Clean Air Act. Listed below are the areas of concern identified by EPA:

1. Process Safety Information requirements:

- a. Cascade Columbia Distribution failed to compile and maintain the following up-to-date safety information, related to the regulated substances, processes, and equipment: safe upper and lower temperatures, pressures, flows, and compositions as required by 40 C.F.R. Part 68.48(a)(3). Cascade Columbia Distribution safety information did not provide the temperatures, pressures, and flow limits for the process equipment such as pumps and piping.
- b. Cascade Columbia Distribution did not correctly report their maximum intended inventory using the 70 percent HF solution in which the regulated substances are stored or processed as required by 40 C.F.R. Part 68.48(a)(2). During the inspection, Cascade Columbia Distribution acknowledged that they exceeded the reported maximum intended inventory of 70 percent hydrofluoric acid solution of 70,000 pounds. The EPA is providing you further clarification on the calculation of the threshold quantity of a substance in solution such as hydrofluoric acid (conc. 50 percent or greater). During the inspection at the facility, the EPA observed that you calculated the total quantity of the hydrofluoric acid solution at a 70 percent concentration. This inventory was reported in your current RMP submitted October 13, 2009 to EPA. The *General Risk Management Program Guidance* (40 C.F.R. PART 68), March 2009, Chapter 1, General

Applicability, Section 1.6, Threshold Quantity in a Process, Quantity of a Substance in a Mixture or Solution: Toxics with Listed Concentration, page 1-11, states the following:

- Four toxic substances have listed concentrations in the rule: hydrochloric acid — 37 percent or greater; hydrofluoric acid — 50 percent or greater; nitric acid — 80 percent or greater; and ammonia — 20 percent or greater.
- If you have one of these four above their listed concentration, you must determine the weight of the substance in the solution and use that to calculate the quantity present. If that quantity is greater than the threshold, the process is covered. For example, aqueous ammonia is covered at concentrations above 20 percent, with a threshold quantity of 20,000 pounds. If the solution is 25 percent ammonia, you would need 80,000 pounds of the solution to meet the threshold quantity; if the solution is 44 percent ammonia, you would need 45,455 pounds to meet the threshold quantity (quantity of mixture x percentage of regulated substance = quantity of regulated substance).

You will be required to submit a correction for your RMP with the correct quantity of hydrofluoric acid (conc. 50 percent or greater) in solution for the inventory. Please notify EPA when your RMP has been corrected.

- c. Cascade Columbia Distribution has not compiled and maintained the following up-to-date safety information, related to the regulated substances, processes, and equipment on the codes and standards used to design, build, and operate the process as required by 40 C.F.R.

Part 68.48(a)(5). Cascade Columbia Distribution was unable to produce documentation on the codes and standards such as ANSI, ASTM, NFPA, building and fire codes, and DOT standards for the barrels.

2. **Operating Procedure requirements:** Cascade Columbia Distribution's operating procedures do not address the consequences of deviations and steps required to correct or avoid deviations as required by 40 C.F.R. Part 68.52(b)(7). Cascade Columbia Distribution's Procedures 8, 9, and 11 must include the consequences of deviations and steps required to correct or avoid deviations.

Please provide the documentation to substantiate that the areas of concern listed above have been corrected. A copy of the documents must be sent to Javier Morales, RMP Coordinator, within 14 days of your receipt of this letter. The documents may be sent via e-mail, fax or mail.

Javier Morales, RMP Coordinator
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900, OCE-084
Seattle, Washington 98101
Email: morales.javier@epa.gov
Fax: 206-553-1762

Please refer to the document *General Risk Management Program Guidance* for additional information pertaining to the areas of concern addressed above. This guidance document can be found on EPA's website at: http://www.epa.gov/emergencies/content/rmp/rmp_guidance.htm#General

We urge you to take the steps necessary to address these concerns and to ensure that all aspects of your operation are conducted in accordance with all applicable federal, state, and local requirements. If in the future, additional violations are identified and/or corrections to the identified concerns are not made, EPA may proceed with enforcement action. If you have any questions about the inspection or the Risk Management Program, please contact Javier Morales, RMP Coordinator, at (206) 553-1255 or morales.javier@epa.gov.

Sincerely,



Kelly McFadden, Manager
Pesticides and Toxics Unit